

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

WILLIAM SANTIAGO,

Petitioner

v.

LOIS RUSSO, SUPERINTENDENT

Respondent.

Civil Action No. 04-11863-EFH

**RESPONDENT'S MOTION FOR AN ENLARGEMENT
OF TIME IN WHICH TO RESPOND TO PETITION**

Now comes Respondent Lois Russo, in her capacity as Superintendent of the Souza Baranowski Correctional Center (the "Respondent"), and hereby respectfully moves this Court to enlarge until October 5, 2004 the time in which she must file an answer or otherwise respond to the Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (the "Petition") filed by Petitioner William Santiago (the "Petitioner"). The Respondent's response is currently due on September 21, 2004. In support of this Motion, the Respondent states as follows:

1. The Petitioner has filed a federal habeas corpus petition arising from the following cases before the Chelsea, Massachusetts District Court: 8714-CR-2106 (disorderly person and affray); 9114-CR-3699 (assault and battery); and 9114-CR-3700 (malicious destruction of property over \$250 and threatening to commit a crime).

2. Counsel for the Respondent has not yet obtained the necessary documents from the Suffolk County District Attorney's Office, which prosecuted the cases listed above. Counsel

will need sufficient time to review those documents.

3. Moreover, the undersigned counsel was first appointed as an Assistant Attorney General on September 13, 2004 and will be observing religious holidays during a portion of the period provided for responding to the Petition.

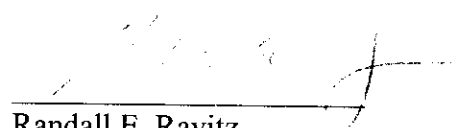
4. Allowance of this Motion will enable counsel for the Respondent to respond to the Petition and aid the Court most thoroughly and effectively.

5. No previous application for an enlargement of time to file an answer or otherwise respond to the Petition has been made to this Court.

WHEREFORE, the Respondent requests that this Court enlarge until October 5, 2004 the time in which she must file an answer or otherwise respond to the Petition.

Respectfully submitted,

THOMAS F. REILLY
Attorney General



Randall E. Ravitz
Assistant Attorney General
Criminal Bureau
One Ashburton Place
Boston, Massachusetts 02108
(617) 727-2200, ext. 2852
BBO # 643381

Dated: September 15, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served on William Santiago, *pro se*, S.B.C.C., P.O. Box 8000, Shirley, MA 01464, by first class mail, postage prepaid, on September 15, 2004.



Randall E. Ravitz